

State of South Dakota

EIGHTY-EIGHTH SESSION
LEGISLATIVE ASSEMBLY, 2013

400U0343

HOUSE BILL NO. 1022

Introduced by: The Committee on Health and Human Services at the request of the
Department of Human Services

1 FOR AN ACT ENTITLED, An Act to repeal certain outdated programs relating to the
2 Department of Human Services.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 28-9-34 be repealed.

5 ~~— 28-9-34. The Division of Services to the Blind and Visually Impaired may purchase,~~
6 ~~maintain, and operate radio talking books or receivers to provide information and intellectual~~
7 ~~stimulation to blind and severely handicapped individuals. The division may contract with~~
8 ~~private or state agencies or organizations for the program development, publication, or delivery~~
9 ~~of the books or receivers.~~

10 Section 2. That ARSD 46:14:01:01 be repealed.

11 ~~— 46:14:01:01. Definitions. Words used in this article mean:~~

12 ~~— (1) "State plan," a plan for planning, administration, provision of services, and construction~~
13 ~~of facilities for persons in the state with developmental disabilities, approved by the secretary~~
14 ~~of the federal Department of Health and Human Services as meeting federal requirements;~~

15 ~~— (2) "Department," the Department of Human Services, state of South Dakota; and~~



1 ~~—(3) "Division," the Division of Developmental Disabilities, Department of Human Services.~~

2 Section 3. That ARSD 46:14:02:01 be repealed.

3 ~~—46:14:02:01. Designated state agency to administer program. The designated state agency~~
4 ~~responsible for the administration of the state plan is the Department of Human Services,~~
5 ~~Division of Developmental Disabilities.~~

6 Section 4. That ARSD 46:14:03:01 be repealed.

7 ~~—46:14:03:01. Adjustment training center standards. All adjustment training center facilities~~
8 ~~receiving funding under the state plan shall meet all standards relevant to adjustment training~~
9 ~~centers developed by the department.~~

10 Section 5. That ARSD 46:14:03:02 be repealed.

11 ~~—46:14:03:02. Community living and day care standards. Community residential programs~~
12 ~~and day care programs receiving grants under the state plan shall meet all applicable standards~~
13 ~~relevant to community residential facilities developed by the department.~~

14 Section 6. That ARSD 46:14:03:03 be repealed.

15 ~~—46:14:03:03. Deadline for project applications. The deadline for submitting project~~
16 ~~applications shall be determined by the division after considering recommendations of the~~
17 ~~Planning Council on Developmental Disabilities. The division shall publish a call for grant~~
18 ~~requests at least 60 days before the closing date for acceptance of applications. The planning~~
19 ~~council shall inform applicants of the disposition of their requests within 90 days after the~~
20 ~~closing date.~~

21 Section 7. That ARSD 46:14:03:04 be repealed.

22 ~~—46:14:03:04. Priority of project based on merit of application. Priority of funding a project~~
23 ~~request shall be based on the merit of the application, in accordance with criteria listed in~~
24 ~~§ 46:14:05:01, rather than on the source of the application. Project requests for construction of~~

~~new buildings or renovations will not be considered for approval.~~

Section 8. That ARSD 46:14:04:01 be repealed.

~~46:14:04:01. Financial administration for funded projects. All projects or services funded from moneys under the state plan shall provide fiscal data to the department on forms furnished by the department. Such fiscal data shall include an accounting of local, county, state, and federal funds expended for personnel, equipment, consumable supplies, staff travel, consultant services, alterations and renovations, expenditures from prior reporting periods, cumulative expenditures to date, cumulative funds received to date, unexpended balances, unliquidated obligations, and unobligated balances.~~

Section 9. That ARSD 46:14:05:01 be repealed.

~~46:14:05:01. Project review requirements and criteria. Project applications for the granting of funds allocated by the state plan shall be reviewed by the Planning Council on Developmental Disabilities, the council's executive committee, or the council's staff. The review should include a determination of the applicability of each of the following criteria and an evaluation of the degree to which the proposed project meets each applicable criterion:~~

~~(1) If the proposed project significantly involves agencies other than the applicant, the application shall include letters from all such agencies. These letters of support shall include statements specifying the resources to be committed to the project by each agency and the responsibilities of each agency in implementing the project;~~

~~(2) Projects which are less than statewide in their scope must be adaptable to other parts of the state of similar nature and characteristics;~~

~~(3) Projects which establish an ongoing service-providing resource must be able to continue independently upon termination of grant funds;~~

~~(4) Projects which provide or initiate the provision of direct services to clients shall describe~~

1 ~~the characteristics of the proposed clients, the degree to which the proposed project will serve~~
2 ~~developmentally disabled people, and the characteristics of the project's developmentally~~
3 ~~disabled clients;~~

4 ~~— (5) Applications shall clearly specify the project's progress and outcomes; and~~

5 ~~— (6) Proposed projects shall relate directly to one or more of the goals established by the~~
6 ~~Planning Council on Developmental Disabilities in their annual state plan. Applications shall~~
7 ~~specify the goal or goals to which the proposed project relates. Proposed projects shall be~~
8 ~~compared only to other proposals which relate to the same goals.~~

9 ~~— The Planning Council on Developmental Disabilities, its executive committee, or its staff~~
10 ~~shall rate each application in terms of the applicable criteria using the following scale:~~

11 ~~—— (a) Applications greatly exceeding the criterion will receive a rating of 4;~~

12 ~~—— (b) Applications exceeding the criterion will receive a rating of 3;~~

13 ~~—— (c) Application meeting the criterion will receive a rating of 2;~~

14 ~~—— (d) Applications not sufficiently meeting the criterion will receive a rating of 1;~~

15 ~~—— (e) Application not meeting the criterion will receive a rating of 0.~~

16 ~~— An overall rating for the project shall be calculated by adding the ratings of all applicable~~
17 ~~criteria and of all raters, then dividing this sum by the product of the number of applicable~~
18 ~~criteria by the number of raters by four. The resultant proportion shall be used as a determining~~
19 ~~factor in the selection of applications.~~